



# Hitchcock County Board Minutes



Hitchcock County Board of Commissioners

Trenton, Nebraska  
July 1<sup>st</sup>, 2013

A meeting of the County Board of Commissioners of Hitchcock County, Nebraska was held at the Hitchcock County Courthouse Commissioner's Room, 229 East D Street, Trenton, Nebraska on the 1<sup>st</sup>, day of July, 2013 commencing at 9:00 o'clock a.m. Present were Chair Scott McDonald, Commissioners Ronald Wertz and Paul Nichols and County Clerk Margaret Pollmann. Notice of the meeting was given in advance thereof by publication in the Hitchcock County News. Board agendas are posted on the County's website [www.hitchcockcounty.ne.gov](http://www.hitchcockcounty.ne.gov).

Notice of the meeting and availability of the agenda were given to the Chair and all members of the Board. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The Meetings Act was available for review and Chair indicated the location of such copy in the room where the meeting was being held.

Chair McDonald called the meeting to order at 9:00 a.m. and publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

Treasurer Linda Cook advised that the Nebraska Department of Revenue, withheld \$13,272.81 in June homestead exemption disbursements purportedly to be applied to the Department of Revenue's invoice dated October 1, 2012 allegedly representing "the fourth quarter costs to Hitchcock County for the assessment office services" for the quarter ending June 30, 2012. Board directed Treasurer to transfer \$13,272.81 from the Inheritance Tax Fund to the County General Fund to offset the amount of homestead exemptions funds withheld by the Nebraska Department of Revenue from the June payment.

Member Nichols moved to approve the consent calendar consisting of the following items: 1. Approval of July 1<sup>st</sup>, 2013 agenda; 2. Approval of the June 17<sup>th</sup>, 2013 meeting minutes. Member Wertz seconded the motion and after consideration the following members voted in favor of said motion: Wertz, McDonald and Nichols. Motion carried.

Member Wertz moved to approve the following claims. Member Nichols seconded the motion and after consideration the following members voted in favor of said motion: Wertz, McDonald and Nichols. Motion carried.

## GENERAL FUND:

General Fund Payroll -----	\$ 4,624.36
Ameritas Life Ins. Corp., retirement -----	\$ 696.50
Jim Baxter, building repair -----	\$ 1,666.78
Capital Business System Inc., lease -----	\$ 129.00
Clerk Dist. Ct., adv. costs -----	\$ 35.00
Farmers State Bank, FICA/OASI/Fed. -----	\$ 1,479.59
Great Plains Comm., service -----	\$ 1,045.57
Karen Keller, reimb. supply -----	\$ 31.05
Mail Finance, postage meter lease -----	\$ 225.00
Mid-American Benefits, deductible funding -----	\$ 5,000.00
NE Dept. Rev., state tax -----	\$ 163.72
Margaret Pollmann, mileage -----	\$ 98.46



# Hitchcock County Board Minutes



Protex Central, fire alarm inspect./service -----	\$ 11.40
Quality Inn, lodging -----	\$ 145.90
SW Public Power, utility -----	\$ 34.37
Top Office Products, supply/lease -----	\$ 951.59
Verizon Wireless, service -----	\$ 301.03
Volz, Inc., supply -----	\$ 290.70
Walmart, same -----	\$ 695.54
Ryan Wilcox, public defender contract -----	\$ 2,000.00

## **ROAD FUND:**

Road Fund Payroll -----	\$ 7,283.39
Ameritas Life Ins., retirement -----	\$ 1,017.04
Phillip Dixon, hwy. supt. -----	\$ 810.00
Farmers State Bank, FICA/OASI/Fed. -----	\$ 1,859.56
Great Plains Comm., service -----	\$ 168.60
John Deere Financial, grader pmt. -----	\$ 8,039.40
Mid-American Benefits, deductible funding -----	\$ 1,200.00
NE Dept. Rev., state tax -----	\$ 182.44
Retriever, LLC, repair -----	\$ 155.00
T&J Repair, same -----	\$ 28.50
Titan Machinery, same -----	\$ 1,018.97
Village of Stratton, utility -----	\$ 79.27

## **NOXIOUS WEED FUND:**

Weed Fund Payroll -----	\$ 888.48
Ameritas Life Ins., retirement -----	\$ 126.09
Farmers State Bank, FICA/OASI/Fed. -----	\$ 243.93
Great Plains Comm., service -----	\$ 40.72
NE Dept. Rev., state tax -----	\$ 23.69

## **911 EMERGENCY SERVICES FUND:**

Great Plains Comm., service -----	\$ 612.48
-----------------------------------	-----------

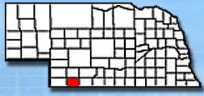
Weed Superintendent Bill Hagemann met with the board and provided an update on noxious weed infestations.

Veteran's Service Officer Barry Corder met with the board and discussion was held on 2013/2014 salary. Office hours will remain 1 ½ days per week with half day for work outside the office and education.

Kathy Haas with Family Resource Center met with the board and provided a summary of services offered. It was the consensus of the board to budget \$900 in the 2013/2014 budget for Family Resource Center services.

Member McDonald moved to direct Chair to execute Hitchcock County Medical Reimbursement Plan Document by and between Hitchcock County and Mid-American Benefits, Inc. Member Nichols seconded the motion and after consideration the following members voted in favor of said motion: Nichols, Wertz and McDonald. Motion carried.

Highway Superintendent Phillip Dixon met with the board and discussion was held on the MIPS Highway Superintendent program. Mr. Dixon advised as to Hitchcock County's current Responsible Charge (RC) Person



# Hitchcock County Board Minutes



Karl Elmshauer. Discussion held on Trenton SE and Palisade SE Federal Aid Projects and the environmental work on the same. Attorney Garner joined the meeting and Mr. Dixon advised as to the aforementioned projects and the RC person for the same. Superintendent Dixon advised as to the federal highway buyout program from Nebraska Department of Roads. Also discussed was scour and fracture critical bridges.

Custodian Karen Keller advised as to jail exercise area brick face, courtyard lamp and curb and gutter repair.

Board reviewed County Board and County owned real estate inventories. Chair McDonald executed the same.

The following inventories were received and examined by the board: Veteran's Service Officer, County Board, County Real Estate, County Clerk, Clerk of the District Court, District Judge, Assessor, County Court and Weed Superintendent. The same were accepted as presented and delivered to the county clerk for filing as public records.

Member Wertz offered Resolution #13-12 and moved for its' adoption. Member Nichols seconded the motion, and after consideration the roll was called thereupon and the following members voted in favor of the motion: Wertz, Nichols and McDonald. Said resolution having been consented to by a majority of all elected to said County Board, was by the chair declared passed and adopted. A true, correct and complete copy of said resolution is as follows:

## **RESOLUTION NO. 13-12**

*(Designation of Replacement RC)*

**Whereas:** Hitchcock County did by Resolution No. 09-15 designate Carl Elmshaeuser with West Central Nebraska Development District as the "Responsible Charge" (RC) for the following project, to wit:

**NDOR Project Number: BR-7044 (27)**

**NDOR Control Number: 70811**

**NDOR Project Name: Trenton Southeast**

And

**Whereas:** said designated RC has indicated that he wishes to discontinue further RC services for Hitchcock County in relation to said project; and

**Whereas:** The Nebraska Department of Roads – Local Project Section has informed Hitchcock County that it is willing and is qualified to be designated as the "Replacement RC" for said project; and

**Whereas:** The designated Replacement RC will be in day-to-day responsible charge of all remaining aspects of each of the project, from planning through post-construction activities, with the express purpose of doing all things necessary for each of said projects to remain eligible for federal-aid transportation project funding; and

**Whereas:** the designated Replacement RC will ensure that, at a minimum, (1) said project receives independent and careful development, supervision and inspection, (2) said project is constructed in compliance with the plans and specifications, (3) all aspects of said project, from planning through construction activities, including all environmental commitments, remain eligible for



# Hitchcock County Board Minutes



federal funding, and (4) decisions made and actions taken for said project have adequate supporting documentation filed in an organized fashion.

**Whereas:** the designated Replacement RC is fully empowered by the LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the federal-aid project from planning through construction project activities, including all environmental commitments. The Replacement RC is the day-to-day project manager, and the LPA's point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that the Replacement RC may delegate or contract certain technical tasks associated with the project so long as the Replacement RC actively manages and represents the owner's interests in the delegated technical tasks.

**Therefore, Be It Resolved** by the Board of Commissioners of Hitchcock County that:

The **Nebraska Department of Roads – Local Project Section** is hereby designated as the Replacement Responsible Charge (RC) for all remaining pre-construction and construction phases, in accordance with the Project Program Agreement previously executed, the NDOR LPA Guidelines Manual for Federal-aid Projects, and all Federal, State and local laws, rules, regulations, policies and guidelines for the following Federal-aid transportation project(s):

**NDOR Project Number: BR-7044 (27)**

**NDOR Control Number: 70811**

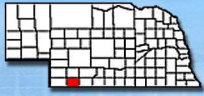
**NDOR Project Name: Trenton Southeast**

and

Hitchcock County assures and agrees that:

- 1) It has authorized and fully empowered said Replacement RC to be in day-to-day responsible charge of the subject federal-aid project; this does not mean merely supervising, overseeing or delegating the various tasks, it means active day-to-day involvement in the project including identifying issues, investigating options, working directly with stakeholders, and decision-making.
- 2) The Replacement RC is a qualified full-time public employee.
- 3) The Replacement RC is fully qualified and has successfully completed required training to serve as a RC.
- 4) It will allow the Replacement RC to spend all time reasonably necessary to properly discharge all duties associated with the project, including ensuring that all aspects of the project, from planning through post-construction activities, remain eligible for federal-aid highway project funding.
- 5) It will not assign other duties to the Replacement RC that would affect his or her ability to properly carry out the duties set out in this agreement.





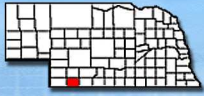
# Hitchcock County Board Minutes



- 6) It will provide necessary office space, materials and administrative support for the Replacement RC.
- 7) It will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the Replacement RC concerning the acts necessary for making the project eligible for federal funding.
- 8) It will take all necessary actions and make its best good faith efforts to comply and assist the Replacement RC in complying with all federal and state requirements and policies applicable to federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 CFR 635.105.
- 9) It will take all necessary actions and make its best good faith efforts to ensure that the Replacement RC's work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 CFR 635.105.
- 10) It will comply with the conflict-of-interest requirements of 23 CFR 1.33.
- 11) It will notify NDOR immediately in the event the designated Replacement RC(s) will no longer be assigned to the project. **A supplemental agreement designating a replacement RC may be required by NDOR.**
- 12) It is ultimately responsible for complying with all federal and state requirements and policies applicable to federal-aid highway projects. This includes meeting all post-construction environmental commitments. The LPA understands that failure to meet any eligibility requirements for federal funding may result in the loss of all Federal funding for the project. In the event that the acts or omissions of the Replacement RC, the LPA or its agents or representatives result in a finding that a project is ineligible for Federal funding, the LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project, including but not limited to, those costs for the RC.

Hitchcock County understands that the following are the duties of the RC:

- a) Serve as the LPA's contact for issues or inquiries for Federal-aid projects assigned by the LPA;
- b) Ensure that all applicable Federal, State and local laws, rules, regulations, policies and guidelines are followed during the development and construction of the project;
- c) Know and follow the NDOR LPA Guidelines Manual for Federal-aid Projects;
- d) Have active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, and decision-making;
- e) Ensure that the project plans and specifications are sealed, signed and dated by a professional engineer licensed in the State of Nebraska, and that estimates have been prepared and the construction has been observed by a professional engineer licensed in the State of Nebraska or a person under the



# Hitchcock County Board Minutes



direct supervision of a professional engineer licensed in the State of Nebraska (reference Neb. Rev. Stat. § 81-3445);

- f) Competently manage and coordinate the project day-to-day operations, including all project-related decisions, on behalf of the LPA, which includes the LPA's governing body, staff and any extended staff dedicated to the project(s), such as consulting engineers;
- g) Ensure that project documents are thoroughly checked, reviewed and have had quality control measures applied, prior to submitting to NDOR and/or FHWA;
- h) Monitor the progress and schedule of the project and be responsible for ensuring that the project(s) is completed on time in accordance with established milestone dates;
- i) Properly serve as the owner's representative, and to visit the project site during construction on a frequency commensurate with the magnitude and complexity of the project;
- j) Ensure that proper construction management processes have been developed and implemented for the project;
- k) Serve as a steward of the public funds, i.e. ensure that the public gets what it is paying for;
- l) Attend all required training including the annual workshop; and
- m) Fulfill continuing education requirements as specified in the NDOR LPA Guidelines Manual for Federal-aid Projects.

PASSED AND APPROVED this 1<sup>st</sup> day of July, 2013 at Trenton, Nebraska.

ATTEST:

\_\_\_\_\_  
Scott McDonald, Chairman

\_\_\_\_\_  
Margaret M. Pollmann, County Clerk

SEAL

Voting for the motion: Wertz, McDonald and Nichols

Voting against the motion: None

Abstaining: None

Absent: None

Member McDonald offered Resolution #13-13 and moved for its' adoption. Member Wertz seconded the motion, and after consideration the roll was called thereupon and the following members voted in favor of the motion: Nichols, McDonald and Wertz. Said resolution having been consented to by a majority of all elected to said County Board, was by the chair declared passed and adopted. A true, correct and complete copy of said resolution is as follows:

**RESOLUTION NO. 13-13**  
*(Designation of Replacement RC)*



# Hitchcock County Board Minutes



**Whereas:** Hitchcock County did by Resolution No. 09-16 designate Carl Elmsphaeuser with West Central Nebraska Development District as the “Responsible Charge” (RC) for the following project, to wit:

**NDOR Project Number: BR-7044 (29)**

**NDOR Control Number: 70862**

**NDOR Project Name: Palisade Southeast**

And

**Whereas:** said designated RC has indicated that he wishes to discontinue further RC services for Hitchcock County in relation to said project; and

**Whereas:** The Nebraska Department of Roads – Local Project Section has informed Hitchcock County that it is willing and is qualified to be designated as the “Replacement RC” for said project; and

**Whereas:** The designated Replacement RC will be in day-to-day responsible charge of all remaining aspects of each of the project, from planning through post-construction activities, with the express purpose of doing all things necessary for each of said projects to remain eligible for federal-aid transportation project funding; and

**Whereas:** the designated Replacement RC will ensure that, at a minimum, (1) said project receives independent and careful development, supervision and inspection, (2) said project is constructed in compliance with the plans and specifications, (3) all aspects of said project, from planning through construction activities, including all environmental commitments, remain eligible for federal funding, and (4) decisions made and actions taken for said project have adequate supporting documentation filed in an organized fashion.

**Whereas:** the designated Replacement RC is fully empowered by the LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the federal-aid project from planning through construction project activities, including all environmental commitments. The Replacement RC is the day-to-day project manager, and the LPA’s point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that the Replacement RC may delegate or contract certain technical tasks associated with the project so long as the Replacement RC actively manages and represents the owner’s interests in the delegated technical tasks.

**Therefore, Be It Resolved** by the Board of Commissioners of Hitchcock County that:

The *Nebraska Department of Roads – Local Project Section* is hereby designated as the Replacement Responsible Charge (RC) for all remaining pre-construction and construction phases, in accordance with the Project Program Agreement previously executed, the NDOR LPA Guidelines



# Hitchcock County Board Minutes



Manual for Federal-aid Projects, and all Federal, State and local laws, rules, regulations, policies and guidelines for the following Federal-aid transportation project(s):

**NDOR Project Number: BR-7044 (27)**

**NDOR Control Number: 70811**

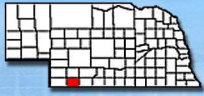
**NDOR Project Name: Trenton Southeast**

and

Hitchcock County assures and agrees that:

- 13) It has authorized and fully empowered said Replacement RC to be in day-to-day responsible charge of the subject federal-aid project; this does not mean merely supervising, overseeing or delegating the various tasks, it means active day-to-day involvement in the project including identifying issues, investigating options, working directly with stakeholders, and decision-making.
- 14) The Replacement RC is a qualified full-time public employee.
- 15) The Replacement RC is fully qualified and has successfully completed required training to serve as a RC.
- 16) It will allow the Replacement RC to spend all time reasonably necessary to properly discharge all duties associated with the project, including ensuring that all aspects of the project, from planning through post-construction activities, remain eligible for federal-aid highway project funding.
- 17) It will not assign other duties to the Replacement RC that would affect his or her ability to properly carry out the duties set out in this agreement.
- 18) It will provide necessary office space, materials and administrative support for the Replacement RC.
- 19) It will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the Replacement RC concerning the acts necessary for making the project eligible for federal funding.
- 20) It will take all necessary actions and make its best good faith efforts to comply and assist the Replacement RC in complying with all federal and state requirements and policies applicable to federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 CFR 635.105.
- 21) It will take all necessary actions and make its best good faith efforts to ensure that the Replacement RC's work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 CFR 635.105.
- 22) It will comply with the conflict-of-interest requirements of 23 CFR 1.33.
- 23) It will notify NDOR immediately in the event the designated Replacement RC(s) will no longer be assigned to the project. **A supplemental agreement designating a replacement RC may be required by NDOR.**
- 24) It is ultimately responsible for complying with all federal and state requirements and policies applicable to federal-aid highway projects. This includes meeting all post-construction environmental





# Hitchcock County Board Minutes



commitments. The LPA understands that failure to meet any eligibility requirements for federal funding may result in the loss of all Federal funding for the project. In the event that the acts or omissions of the Replacement RC, the LPA or its agents or representatives result in a finding that a project is ineligible for Federal funding, the LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project, including but not limited to, those costs for the RC.

Hitchcock County understands that the following are the duties of the RC:

- n) Serve as the LPA's contact for issues or inquiries for Federal-aid projects assigned by the LPA;
- o) Ensure that all applicable Federal, State and local laws, rules, regulations, policies and guidelines are followed during the development and construction of the project;
- p) Know and follow the NDOR LPA Guidelines Manual for Federal-aid Projects;
- q) Have active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, and decision-making;
- r) Ensure that the project plans and specifications are sealed, signed and dated by a professional engineer licensed in the State of Nebraska, and that estimates have been prepared and the construction has been observed by a professional engineer licensed in the State of Nebraska or a person under the direct supervision of a professional engineer licensed in the State of Nebraska (reference Neb. Rev. Stat. § 81-3445);
- s) Competently manage and coordinate the project day-to-day operations, including all project-related decisions, on behalf of the LPA, which includes the LPA's governing body, staff and any extended staff dedicated to the project(s), such as consulting engineers;
- t) Ensure that project documents are thoroughly checked, reviewed and have had quality control measures applied, prior to submitting to NDOR and/or FHWA;
- u) Monitor the progress and schedule of the project and be responsible for ensuring that the project(s) is completed on time in accordance with established milestone dates;
- v) Properly serve as the owner's representative, and to visit the project site during construction on a frequency commensurate with the magnitude and complexity of the project;
- w) Ensure that proper construction management processes have been developed and implemented for the project;
- x) Serve as a steward of the public funds, i.e. ensure that the public gets what it is paying for;
- y) Attend all required training including the annual workshop; and
- z) Fulfill continuing education requirements as specified in the NDOR LPA Guidelines Manual for Federal-aid Projects.



# Hitchcock County Board Minutes



PASSED AND APPROVED this 1<sup>st</sup> day of July, 2013 at Trenton, Nebraska.

ATTEST:

\_\_\_\_\_  
Scott McDonald, Chairman

\_\_\_\_\_  
Margaret M. Pollmann, County Clerk

SEAL

Voting for the motion: Wertz, McDonald and Nichols

Voting against the motion: None

Abstaining: None

Absent: None

The Treasurer was in receipt of \$240.00 from Harold Potthoff for machine rental, credited to the Road Fund; \$1,952.73 from Phelps County for Emergency Management Fees and \$218.49 from Central Crude for oil production, both credited to the General Fund; \$1.00 from Vonnage for 911 surcharges, credited to the 911 Emergency Services Fund.

Board acknowledged receipt of completed Interlocal Government Agreement Multi-Jurisdictional Hazard Mitigation Plan document.

Member Nichols moved to enter executive session at 12:45 p.m. this date, to discuss litigation. Member Wertz seconded the motion and the following members voted in favor of said motion: Nichols, McDonald and Wertz. Motion carried. Those present in executive session were Chair McDonald, Members Wertz and Nichols and County Attorney Garner.

Member Wertz moved to come out of executive session at 1:00 p.m. this date. The motion was seconded by McDonald and the following members voted in favor of said motion: McDonald, Wertz and Nichols. Motion carried.

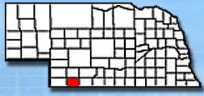
Pursuant to NEB. REV. STAT. §23-122 et seq. Hitchcock County job titles and current salaries are being published.

## ANNUAL SALARIES

Commissioner	\$17,166.60	County Sheriff	\$45,164.76
County Clerk	\$39,535.20	Chief Deputy Sheriff	\$39,289.28
Chief Deputy Clerk	\$32,626.94	Deputy Sheriff	\$37,376.63
Deputy Clerk	\$28,542.15	County Treasurer	\$39,535.20
County Attorney	\$39,535.20	Chief Deputy Treasurer	\$32,303.90
Attorney Legal Assist.	\$16,285.20	Deputy Treasurer	\$20,500.00
County Assessor	\$39,535.20	Emergency Manager	\$4,668.00
Chief Deputy Assessor	\$25,700.00	Deputy Emergency Manager	\$6,485.00
Assessor Clerical	\$24,600.00	Veteran's Service Officer	\$12,600.00
		Extension Office Manager	\$24,916.73

## HOURLY WAGES

Road Maint. 20+ years	\$15.49	Weed Superintendent	\$14.01
Road Maint.	\$15.07	Dispatcher/Jailer 20+ years	\$13.66
Road Maint.	\$14.81	Dispatcher/Jailer 10+ years	\$13.41
Probationary Road Maint.	\$13.58	Disp./Jailer & Part time D/J	\$13.27
Part Time Road Maint.	\$12.12	Zoning Administrator	\$16.15



# Hitchcock County Board Minutes



Janitorial	\$13.15	P/C & BOA Members Per Diem	\$15.00
Plan. Comm. Secretary	\$9.70		

Member Nichols moved to adjourn and to meet for the next regular meeting on Monday, July 15<sup>th</sup>, 2013 at 9:00 a.m. Member McDonald seconded the motion and the roll was called with the following members voting in favor of said motion: Wertz, Nichols, and McDonald. Motion carried.

ATTEST:

---

Scott McDonald, Chair  
Hitchcock County Board of Commissioners

---

Margaret M. Pollmann, County Clerk